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IDENTICAL LETTERS DATED 15 DECEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 15 December 1998 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of Iraq, concerning the remarks made on 8 December 1998 by Sandy Berger, the United States national security adviser, which expose the fact that the United States is exploiting the United Nations and the Security Council and its resolutions to further the United States policy of hostility towards Iraq. The Minister urges the Security Council to meet its responsibility to prevent actions such as these, which are incompatible with the Charter of the United Nations.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Annex

Identical letters dated 15 December 1998 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General and to the President of the Security Council

I should like at the outset to refer to my letters dated 19 October 1998 (S/1998/965, annex) and 30 November 1998 (S/1998/1130, annex). In those two letters, I informed the Security Council in abundant detail of the egregious political and military actions that were being taken by the Government of the United States of America against Iraq's sovereignty, security, territorial integrity and political independence. I further exposed the falsity of the pretexts to which the United States Government resorted in claiming that when it used its military forces against Iraq it was acting on the basis of the relevant Security Council resolutions. Recent events, particularly those of 14 November 1998 and the few weeks since then, have provided a strong indication of the truthfulness and accuracy of the statements made in our two letters. The official statement made by United States President Clinton on 15 November 1998 confirmed that his Government is using all possible ways and means of changing the legitimate national political regime in Iraq, including the use of armed force and the allocation of the funds necessary to recruit murderers, mercenaries and agents to implement this official United States policy. This admission by the United States President has been followed by other acknowledgements made in official statements by a number of United States officials, including heads of government departments and military leaders.

In the present letter, I should like to draw your attention and that of all of the members of the Security Council to further evidence to be added to the compelling evidence we have previously communicated to the Council. This evidence confirms not only that the Government of the United States of America has conspired against Iraq, used brute force in attacking it and interfered in its internal affairs for its own particular purposes but also that the United States Government harbours contempt for the Security Council and makes use of the Council's resolutions to further the goals of the United States policy of hostility towards Iraq. On Tuesday, 8 December 1998, Sandy Berger, the United States national security adviser, presented some remarks at Stanford University in California that contained a number of egregious admissions with regard to Iraq and the Security Council resolutions imposed on it, some of which are described hereunder.

1. Sandy Berger acknowledged that the sanctions first imposed on Iraq more than eight years ago are the most stringent in history and went on to confirm that it is the United States of America that has maintained these sanctions for more than eight years because they constitute one of four "pillars" on which the United States strategy for containing Iraq has been based.

The remarks of Sandy Berger, the United States national security adviser, are abundantly clear and require no commentary. They confirm the blatant and thorough exploitation of the Security Council and its resolutions and of the so-called international community and the use made of all of them in furthering the hostile United States policy against Iraq and its people.

Sandy Berger confirms in a manner that leaves no room for equivocation that the most stringent embargo known to history, which was imposed on Iraq in the name of the Security Council more than eight years ago and has caused the deaths of more than a million Iraqi citizens, was in truth imposed by the Government of the United States of America as part of a purely American strategy that bears no relation to the Security Council or to any so-called Gulf crisis.

2. In his remarks, Sandy Berger acknowledges that the American strategy for the so-called containment of Iraq, of which the embargo imposed on Iraq in the name of the Security Council constitutes one of the "pillars", is one that cannot be maintained over the long term. The United States Government has therefore begun to focus its efforts, openly and officially, on what it had previously been doing clandestinely, namely its ongoing endeavour by all possible means to interfere in the internal affairs of Iraq and to use armed force against it in order to overthrow its national political regime. They have failed in this, and their wretched scheme has been thwarted. Sandy Berger has characterized the involvement of the United States Government in this criminal activity against Iraq as the choice that the United States Administration must make with patience and resolve as well as with determination to use effective force to achieve the goal.

3. United States national security adviser Sandy Berger presents a lengthy exposition of the scenario for the United States policy against Iraq that makes use of the Security Council and its resolutions for its own furtherance. He extends an invitation to those whom he imagines will come together at his abortive call with the intention of seducing them. He also fancies in his sick imagination that when the United States Government succeeds through the use of "effective force" against Iraq in overthrowing the national regime and installing a government in Baghdad that is Washington's client, the United States of America will reward this government residing in Sandy Berger's diseased imagination by the following:

(a) Easing the economic sanctions maintained against Iraq since August 1990;

(b) Relieving Iraq's massive debts.

These are the real topics of the remarks made by Sandy Berger, the United States national security adviser. They were presented in the midst of a torrent of lies, of immorality and dishonour and of the empty allegations and bravado that customarily characterize the leaders and officials of the United States of America.

Before addressing you in the context of your responsibilities under the Charter of the United Nations and international law and in order to forestall any erroneous interpretation of our position, we should like to state that we have not prepared the present letter for you because Iraq fears the fabrications of the despotic rulers of the United States or because it is intimidated or alarmed by the aggressive and conspiratorial actions of the United States against its security, sovereignty, freedom and independence. For the past 30 years, and during the last 10 years in particular, a long procession of American rulers have tried their faltering luck at conspiring against Iraq, and their

failure in doing so has always been abject owing to the protection of Almighty God and the worthy stance taken by the great people of Iraq. The basic reason we raise this subject is rather to call the attention of certain members of the Security Council, particularly its permanent members, to the contempt in which they are held by the United States, and we do this in order to learn whether they will tolerate it or will reject it in consideration of their responsibilities towards their peoples and the role accorded them by their legal duty.

We condemn and deprecate these hostile acts on the part of the United States against our country and our people. We call upon the Security Council, in accordance with the Charter and international law, to denounce the hostile and conspiratorial statements and actions directed against Iraq and to fulfil its responsibility under the Charter to prevent them and to bring those responsible for them to account.

At the same time, however, we affirm that neither the statements of Berger and others nor the conspiring and hostile actions of the United States can sap the loftiness of even a single one of Iraq's great palm trees or its pride in the stance taken by the great people of Iraq. The American aggressors may have the ability to destroy an Iraqi date palm by dropping their bombs or by firing missiles at it, but while it lives they will fail abjectly to bow its majestic head. They shall not succeed, however great their tyranny and might, in undermining the faith, steadfastness and firmness of the mighty people of Iraq. American officials, whoever they may be and whether they like it or not, can only respect Iraq and can only respect its political regime.

On many occasions and in all manner of forums Iraq has maintained that the United States of America has always regarded diplomacy (in its true sense as customarily accepted among States), international law and the United Nations (as understood in accordance with its Charter) as inconvenient obstacles except when it is possible to utilize them as instruments for the furtherance of United States policy against one country or another at the whim of the rulers in Washington. Some, for one reason or another, would engage in sophistry and would deny this fact.

The remarks of Sandy Berger, the United States national security adviser, leave no room for further sophistries or denials. More than that, however, they raise many legitimate questions and prompt deep concern among all fair-minded people in the world.

As members of the Security Council, do you not find Sandy Berger's remarks embarrassing to you, first as States and then as an international institution called "the Security Council"? The remarks of the United States national security adviser give no weight to the desires of the Security Council as an international institution or of its individual members. Sandy Berger states unequivocally that the Council's resolutions, regardless of any assessment of the injustice, unfairness and arbitrariness they may contain, are under the authority of the Government of the United States of America and that it is that Government that determines their form and controls their implementation, because they constitute the "pillars" of its strategy.

It is the United States of America, as acknowledged by the United States national security adviser in his remarks, that has maintained in place against Iraq for more than eight years the most stringent sanctions in history, and it has done so because these sanctions are one of the four "pillars" that constitute the United States strategy directed against Iraq. Sandy Berger says that it is Washington that will determine whether or not the embargo against Iraq will continue to be enforced, in accordance with the requirements of United States policy. Are the distinguished members of the Security Council not deeply embarrassed by the public announcement of this fact by the United States national security adviser?

The United States of America is formally declaring, through its most senior officials and in all the electronic and print media throughout the world, that it is officially interfering in Iraq's internal affairs and that it is allocating tens and perhaps hundreds of millions of United States dollars and using effective military force in order to overthrow the legitimate national political regime in Iraq. The Security Council nevertheless takes refuge in total silence while all of its members, even the representative of the United States of America himself, know perfectly well that this policy of the United States and its hostile actions against Iraq are in flagrant violation of all the principles and norms of international law, particularly those of the Charter of the United Nations, and even of the Security Council resolutions relating to Iraq.

Are the members of the Security Council not deeply embarrassed, first by the persistence of the United States Government in violating international law and the Council's resolutions and then by the fact that the Council should remain silent in the face of such contentiousness on the part of the United States?

The recklessness of the United States is an affront to the international community, and the silence of the Security Council in the face of this recklessness is an affront to the United Nations. It is our firm belief that this silence cannot be permitted to continue in view of the grave negative and destructive consequences it may have for the integrity of the United Nations and the principles of its Charter.

The United States of America acknowledges, through the United States national security adviser, that the Government of the United States of America will decide to ease the economic sanctions imposed on Iraq if there is a government in Baghdad that is Washington's client. Could contempt for the Security Council and its resolutions be any greater than this? Could there be a more painful usurpation of the wishes of the other members of the Council than this by the United States?

Even worse than the foregoing is Sandy Berger's statement that if the United States succeeds in overthrowing the national political regime in Iraq and installs a client government in Baghdad then Washington will work to relieve Iraq's debts, which he characterizes as "massive". For the information of the members of the Security Council, Iraq is not indebted to the United States of America. The statement of the United States national security adviser is therefore meaningless other than as an implicit allusion to the question of

compensation and as an attempt to cause deliberate confusion between debts and compensation payments.

Sandy Berger's remarks shed light on the fact that the hostile policy of the United States towards Iraq transforms the Security Council resolutions relating to economic sanctions and compensation arrangements into measures that bring into being imaginary clients and seduce them by means of decisions to be taken in Washington to ease the economic sanctions and mitigate the payment of compensation, both of them measures imposed on Iraq in the name of the Security Council, in the event that these clients should agree to function as instruments of United States agencies in overthrowing the political regime in Iraq.

The crux of the matter is that the United States national security adviser is saying with brutal frankness that it is Washington that will conduct the "review", that the real power of decision is in its hands and that the other members of the Security Council are excluded.

In the past eight years Iraq has frequently complained of arbitrariness on the part of the United States. It has told you that the resolutions adopted against it by the Security Council, with all their injustice and arbitrariness, were not the work of the other members of the Council or the outcome of their wishes but were imposed by brutal force by the United States of America. The responses we received would deny the truthfulness of what we had said and enumerate a variety of excuses. Today, confirmation is being provided by United States officials of the truthfulness of Iraq's statements and warnings. They are declaring frankly that the economic sanctions imposed on Iraq are United States policy and that these sanctions will be maintained because they are an instrument for the overthrow of the national regime in Iraq alongside other mechanisms such as the use of military force to attack Iraq under cover of requiring Iraq to implement the resolutions of the Security Council and such as the allocation of funds for the recruitment of agents and mercenaries to help achieve the goals of United States policy against Iraq. What, though, do the distinguished members of the Security Council say now, when all of these bitter truths have been revealed?

Why do the other members of the Security Council not adopt measures that are based on the Charter and on international law and that are clear to us and to the entire world? Why do they not adopt measures that restore justice and truth to their proper place, or that at least curb unrestrained falsehood, and that release the people of Iraq from all the oppression and injustice that have now beset it for more than eight years? Such measures should be in keeping with the positions taken by the members of the Council, and particularly its permanent members, in accordance with their responsibilities under the Charter and international law, so as to demonstrate that they really are members of an international institution that functions and conducts itself in word and deed in accordance with the Charter of the United Nations and the norms of international law and that it is not the case, as United States national security adviser Sandy Berger says, that the Security Council resolutions relating to Iraq are in reality instruments for the implementation of the United States policy of hostility to Iraq and to its people.

These are legitimate questions, and we strongly believe that they not only express the position and sentiments of the leadership and people of Iraq but also reflect those of the overwhelming majority of the world's countries and peoples. Perhaps the distinguished members of the Council will take concrete steps and adopt positions such as will affirm that the claim made by United States national security adviser Sandy Berger is no longer possible to the extent that it depends on the wishes of the other members of the Security Council.

I request you to bring this letter to the attention of the members of the Security Council and to have it circulated as a Council document.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq